

Message

From: Perkins, Erin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B2E346DBD35A463AB95787E5D0D1BA97-PERKINS, ERIN]
Sent: 11/5/2021 5:14:01 PM
To: Fish, Tonya [Fish.Tonya@epa.gov]
Subject: RE: Official submittal to EPA: ND Water Quality Standards

Thanks – **Ex. 5 AC/DP**

From: Fish, Tonya <Fish.Tonya@epa.gov>
Sent: Friday, November 5, 2021 11:07 AM
To: Perkins, Erin <Perkins.Erin@epa.gov>
Subject: RE: Official submittal to EPA: ND Water Quality Standards

Ex. 5 AC/DP

From: Wax, Peter N. <pwax@nd.gov>
Sent: Friday, June 18, 2021 12:39 PM
To: Thomas, Deb <thomas.debrah@epa.gov>
Cc: Wirick, Holiday <wirick.holiday@epa.gov>; Fish, Tonya <Fish.Tonya@epa.gov>; krockema@nd.gov
Subject: Official submittal to EPA: ND Water Quality Standards

Dear Ms Thomas,

The North Dakota Department of Environmental Quality is submitting for your review, North Dakota's recently promulgated Administrative Rules Chapter 33.1-16-02.1 Standards of Quality for Waters of the State. The new rule addresses updates to reflect 401(a) recommended criteria for: ammonia, selenium in fish flesh, pH, and mercury. Additionally there are a number of formatting improvements, grammar and spelling corrections, and clarifications.

The final rule may be found at <https://www.legis.nd.gov/information/acdata/pdf/33.1-16-02.1.pdf>.

Attached:

- 1) Certification Request
- 2) Proposed North Dakota Administrative Code, Chapter 33.1-16-02.1 Standards of Quality for Waters of the State with strikeout and revisions in color.
- 3) The Attorney General's Opinion.
- 4) Copies of the 2019 and 2020 Public Notices as they appeared in the Newspaper.
- 5) Copy of the 2019 Public Notice as it appeared on the NDDEQ Website.
- 6) Copy of the 2020 Public Notice that included a summary of proposed changes to the standards, proposed rules, supporting information, regulatory analysis, takings assessment, small entity economic analysis, small entity regulatory analysis as it appeared on the NDDEQ website.
- 7) Copy of public comments and the NDDEQ responses to comments.

If you have any questions, please contact me.

Sincere,

Peter N. Wax

Special Projects
Division of Water Quality

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